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08/579,072	12/22/1995	ADAM S. WYSZYNSKI	47681-P037US	3750

29053 7590 03/01/2006

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EXAMINER

ORGAD, EDAN

ART UNIT PAPER NUMBER

2684

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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Commissioner for Patents

As per our conversation,

The Board of Appeals and Interference responded to the Req. for Rehearing on Jan. 20, 2004 and designated the affirmance as a new grounds of rejection. In the "Response to Remand" examiner is maintaining the rejection (please see attached "Response to Remand").

Furthremore, a shortened statutory period for reply to this action is set to expire ONE MONTH of THIRTY DAYS, whichever is long, from the mailing of this letter.

Extension to time delay will NOT be granted under 37 CFR 1.136.

Thank you,
Edan Orgad

Edan Orgad 2/23/06

Primary Patent Examiner
Telecommunications
571-272-7884.

RESPONSE TO REMAND

Examiner's Rationale Addressing Appellants arguments in Request for Rehearing

In the request for rehearing 11/21/03 the appellants main argument is directed the rejections of claim 1-5, 7-11, 13, 15-18, 20 and 21, by Yamamoto in view of Umezawa. More specifically the Appellant argues the unobviousness of applying a video signal, as taught by Umezawa, to the circuit of Yamamoto, as follows:

Appellants Argument:

In general the Appellant argues that the primary reference Yamamoto is not able to process video signals.

In more detail, the Appellant argues that Yamamoto expressly teaches that the demodulated signal is output from a loudspeaker in the form of voice and therefore provides audio output circuitry. Accordingly the circuit of Yamamoto would not perform any useful function when having a video signal applied to antenna 11 thereof without substantial un-suggested modifications such as to provide some form of undisclosed video output circuitry. Moreover, video signals are appreciably different than typical audio signals, such as those for which the audio circuitry of Yamamoto is designed, in several regards. For example, video signals generally comprise a larger channel bandwidth than typical audio signals. Accordingly band pass filters 15 and 17 of Yamamoto, taught to remove signal components having frequencies other than a predetermined frequency band associated with the expected audio signals would require un-suggested modifications in order to accommodate the application of video signals to antenna 11 as preferred by the board.

Examiners Response to Argument:

In general, the examiner disagrees because the components in the Yamamoto receiver are the same as that for any receiver except for the fact that the transducers, i.e., display and camera would have to be added and, in agreement with the Appellant the bandwidth of the components may have to be adjusted for video. However, in disagreement with the Appellant the bandwidth adjustment is suggested by the secondary reference Umezawa, and, may not be necessary.

In more detail, the examiner disagrees, in that regardless of the type of signal being received or transmitted the down conversion and up conversion path of a transceiver is the same as that shown by Yamamoto.

For example antenna (11) is band dependent and not bandwidth dependent, i.e., regardless of the type (bandwidth) of signal being transmitted or received the antenna is chosen to accommodate the carrier frequencies of the intended channel band. If the intended channels in the communications system are in a certain band, e.g., AM, Television, Cellular, PCS, Satellite, the length of the antenna is chosen proportional to the center frequency of the band. Therefore the antenna is not an issue, because the Umezawa reference makes modifications to a cellular telephone, and therefore implies transmissions in the cellular telephone band.

With regard to the transmit/receive path components, connected to the antenna, the same components, i.e., amplifiers, mixers, filters, and modems, would all be used in a video receiver. The only possible change that may be necessary, as the Appellant argued, is the bandwidth of the components. However the bandwidth difference between a video and audio signal is so well known that a skilled artist making the change suggested by Umezawa would necessarily make the change such that the phone would work. The Examiner contends however, that the skilled

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artist is assumed skilled in the art, and therefore, the mere statement by Umezawa “ Video telephone equipment including signal processing means for permitting at least either of a vocal and visual communications; a speaker which emits received speech for the vocal communications; a microphone which accepts speech; a display which displays received visual communications; a camera which permits the visual communications (col. 1 lines 60-67, col. 2 lines 1-3)”, suggest to the skilled artist that a bandwidth change may be necessary.

Further, as the Examiner stated above, the component bandwidth change is not absolutely necessary for the circuit of Yamamoto to function because Yamamoto specifically is speaking of a Time Division Multiple Access (TDMA) system. In TDMA, the transmitters and receivers will convert the information (voice, video, or data) to data bits. The data bits will be sent in time slots, six time slots repeatedly sent in a TDMA frame. One of the time slots in each frame is associated with a particular receiver. Each time slot will only accommodates a certain number of bits. Now, for a video signal to be perfectly received it requires more bits per time slot, i.e., more bits per second, to be transmitted than an audio signal. However, a video signal can be received less perfectly by transmitting fewer bits per time slot. As a result if the video signal is transmitted in the TDMA timeslot suggested by Yamamoto for audio, less bits per time slot, or per second will be transmitted and a less perfect video signal will be received by the receiver of Yamamoto. For example, if less bits per second are received, the video will appear, but will appear as slower motion, possibly as a series of still images where the motion is apparent but not fluid, or the video will appear with softer edges on sharp objects. Therefore, without a bandwidth change in the components of Yamamoto the circuit will still process incoming and

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outgoing video signals between the antenna (11) and the transducers, i.e., display and camera.

The Examiner notes that Umezawa explicitly teaches both transducers.

In conclusion, the Examiner disagrees with the Appellant, and contends that the bandwidth change to accommodate video is suggested to a skilled artist, and even if the bandwidth change were not suggested the circuit of Yomamoto is still able to perform a useful function when a video signal is applied to the antenna (11), that is, the circuit can process video signals if the necessary transducers, e.g., camera, display, and processing were added, as explicitly taught by Umezawa.

Conclusion

A shortened statutory period for reply to this action is set to expire ONE MONTH of THIRTY DAYS, whichever is long, from the mailing of this letter.

Extension to time delay will NOT be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached on 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad

EO 2/23/08

Primary Patent Examiner
Telecommunications.